

Receipt



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Patent Application of	)	Group Art Unit: 3624
Gary L. Overhultz et al	)	Confirmation No. 5955
	)	
Serial No.: 10/665,540	)	
	)	
Filed: September 18, 2003	)	
	)	
Entitled: ADVERTISING COMPLIANCE	)	
MONITORING SYSTEM	)	

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

ATTENTION: Office of Initial Patent Examination's  
Filing Receipt Corrections

REQUEST FOR CORRECTED FILING RECEIPT UNDER 37 CFR § 1.181

Sir:

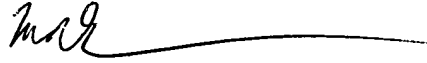
Applicant respectfully requests a corrected filing receipt which would reflect the correct Domestic Priority data as claimed by applicant.

Applicant filed the present application as a continuation in part application of U.S. serial no. 10/393,330, filed March 20, 2003, which was a continuation in part application of U.S. serial no. 10/158,146, filed May 30, 2002, claiming the benefit of U.S. provisional application no. 60/332,149, filed November 21, 2001.

Enclosed is a copy of the first page of the specification of this application wherein the benefit to these three applications was claimed. Also enclosed is a copy of the declaration that was filed with this application highlighting the claim to the benefit of these three applications. In these claims the filing date of U.S. serial no. 10/158,416 was correctly listed as May 30, 2002. Applicant is submitting a copy of the official Filing Receipt for U.S. application no. 10/158,416 showing the correct filing date of May 30, 2002.

Applicant respectfully requests a corrected Filing Receipt for this application correcting the filing date of U.S. application serial no. 10/158,416 from May 31, 2002 to May 30, 2002. Enclosed is a copy of the official filing receipt showing the needed correction highlighted in red.

Respectfully submitted,



Mark V. Campagna  
Registration No. 42,380

JONES DAY  
77 West Wacker  
Chicago, Illinois 60601-1692  
(312) 782-3939

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, MAIL STOP \_\_\_\_\_

P.O. Box 1450, Alexandria, VA 22313-1450 on

December 22, 2003  
Patricia A. Merrill  
Patricia A. Merrill



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/665,540	09/18/2003	3624	1338	323343600005	14	99	9

28104  
 JONES DAY  
 77 WEST WACKER  
 CHICAGO, IL 60601-1692

CONFIRMATION NO. 5955

## FILING RECEIPT



\*OC000000011458884\*

Date Mailed: 12/10/2003

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

Gary L. Overhultz, River Forest, IL;  
 Gordon E. Hardman, Boulder, CO;  
 John W. Pyne, Erie, CO;  
 Robert W. Mead, Chicago, IL;

## Domestic Priority data as claimed by applicant

This application is a CIP of 10/393,330 03/20/2003  
 which is a CIP of 10/158,146 05/31/2002 \* 5/30/2002  
 which claims benefit of 60/332,149 11/21/2001  
 (\*) Data provided by applicant is not consistent with PTO records.

## Foreign Applications

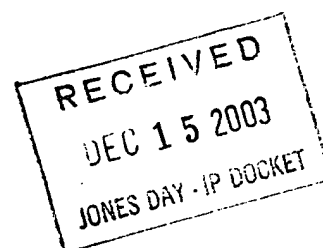
If Required, Foreign Filing License Granted: 12/10/2003

Projected Publication Date: 03/18/2004

Non-Publication Request: No

Early Publication Request: No

\*\* SMALL ENTITY \*\*



323343-600-005

**Title**

Advertising compliance monitoring system

**Preliminary Class**

705

---

**LICENSE FOR FOREIGN FILING UNDER  
Title 35, United States Code, Section 184  
Title 37, Code of Federal Regulations, 5.11 & 5.15**

**GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

**NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
10/158,416	05/30/2002	2161	651	527606-600-002	4	44	3

RONALD A. SANDLER  
JONES, DAY, REAVIS & POGUE  
77 WEST WACKER DRIVE  
CHICAGO, IL 60601-1692

CONFIRMATION NO. 7406

## UPDATED FILING RECEIPT



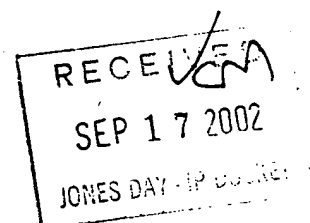
\*OC000000008765305\*

Date Mailed: 09/12/2002

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

Gary L. Overhultz, River Forest, IL;  
Robert W. Mead, Chicago, IL;



## Domestic Priority data as claimed by applicant

THIS APPLN CLAIMS BENEFIT OF 60/332,149 11/21/2001

## Foreign Applications

If Required, Foreign Filing License Granted 07/02/2002

323343-600-001

Projected Publication Date: 05/22/2003

Non-Publication Request: No

Early Publication Request: No

\*\* SMALL ENTITY \*\*

## Title

Advertising compliance monitoring system

**Preliminary Class**

705

---

**LICENSE FOR FOREIGN FILING UNDER  
Title 35, United States Code, Section 184  
Title 37, Code of Federal Regulations, 5.11 & 5.15**

**GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

**NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

# **IMPROVED ADVERTISING COMPLIANCE MONITORING SYSTEM**

## **Cross-Reference to Related Applications**

[0001] This application claims the benefit of U.S. Provisional Application Serial Number 60/332,149, filed on November 21, 2001, and is a continuation-in-part of U. S. Application No. 10/393, 330, filed on March 20, 2003, and entitled "Improved Advertising Compliance Monitoring System," which is a continuation-in-part of U. S. Application No. 10/158,146 filed on May 30, 2002, and entitled "Advertising Compliance Monitoring System," which are all assigned to the assignee of the present application. The applicants are claiming priority to the provisional application and Serial Nos. 10/393,330 and 10/158,146, thus making the effective filing date of this application November 21, 2001. The subject matter of the above applications is incorporated herein by reference in its entirety.

## **FIELD**

[0002] The technology described in this application relates to an improved system and method of monitoring compliance with a Point of Purchase (POP) advertising program that displays one or more advertising signs or marketing materials, and more particularly to the monitoring of and exposure to advertising signs or marketing materials displayed at gas stations, convenience stores, grocery stores, mass merchandising outlets, drug stores, specialty retail outlets (*e.g.*, pet stores, record stores, book stores), consumer electronics stores, *etc.*

## **BACKGROUND**

[0003] It is desirable to monitor retailer compliance with advertising programs. Advertising that is not displayed has no value to a company. However, non-compliance with an advertising program is difficult to detect in a timely manner.



## COMBINED DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

As below-named inventors, we hereby declare that:

Our residence, post office address and citizenship are as stated below next to our names.

We believe we are the original, first and joint inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled:

### IMPROVED ADVERTISING COMPLIANCE MONITORING SYSTEM

the specification of which:

(check one) ☒ is attached hereto

\_\_\_\_\_ was filed on \_\_\_\_\_ as Application Serial No.

We hereby state that we have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendments referred to above.

We acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a).

We hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed: None.

We hereby claim the benefit under Title 35, United States Code, §119(e) or §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, we acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

**U.S. Provisional Patent Application Serial No. 60/332,149, Filed November 21, 2001;  
U.S. Patent Application Serial No. 10/158,416, Filed May 30, 2002; and  
U.S. Patent Application No. 10/393,330, Filed March 20, 2003**

As named inventors, we hereby appoint: RONALD A. SANDLER, Reg. No. 23,066; H. DUANE SWITZER, Reg. No. 22,431; ALFRED E. HALL, Reg. No. 24,099; JAMES B.



RADEN, Reg. No. 24,594; LESTER J. SAVIT, Reg. No. 30,523; SANDRA B. WEISS, Reg. No. 30,814; DAVID L. WITCOFF, Reg. No. 31,443; JOHN A. MARLOTT, Reg. No. 37,031; JOSEPH H. GOLANT, Reg. No. 24,210,; MARC S. BLACKMAN, Reg. No. 43,501; STACY A. BAIM, Reg. No. 44,534; MARK V. CAMPAGNA, Reg. No. 42,380; KRISTA S. SCHWARTZ, Reg. No. 42,134, and MATTHEW D. KELLAM, Reg. No. 48,442, who are with the firm of JONES DAY, as our attorneys, with full power of substitution and revocation, to prosecute this application and transact all business in the Patent and Trademark Office connected herewith.

We request that all correspondence be directed to:

Ronald A. Sandler, Esq.  
JONES DAY  
77 West Wacker Drive  
Chicago, Illinois 60601-1692

Please direct all telephone calls to Ronald A. Sandler (312) 782-3939.

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of first inventor: Gary L. Overhultz

Inventor's signature:  Date 9/18/03

Residence: 715 Forest Avenue  
River Forest, Illinois 60305  
U.S.A.

Citizenship: United States of America

Post Office Address: same as residence

Full name of second inventor: Gordon E. Hardman

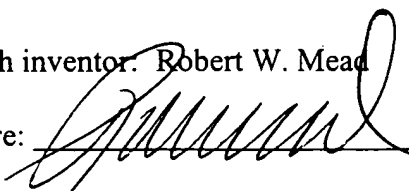
Inventor's signature: Gordon E. Hardman Date 17 Sept. 2003 .

Residence: 3994 Promontory Court  
Boulder, Colorado 80304  
U.S.A.

Citizenship: United States of America

Post Office Address: same as residence

Full name of fourth inventor: Robert W. Mead

Inventor's signature: 

Date

9/16/03

Residence: 2020 Lincoln Park West, Unit 2M  
Chicago, Illinois 60602  
U.S.A.

Citizenship: United States of America

Post Office Address: same as residence

CHI-1377700v1